



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

228

CRM-M-423-2025 (O&M)
Date of Decision:- 29.01.2025

HARJINDER SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Ms. Tuneet Walia, Advocate for the petitioner.

Mr. Rajinder Singh Bhatta, DAG Punjab.

SANJIV BERRY, J. (ORAL)

1. Status report dated 28.01.2025 filed in the form of an affidavit of Deputy Superintendent of Police, Sub-Division Baba Bakala Sahib, Amritsar (Rural) is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023 , petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
85	09.05.2024	326, 325, 323, 506, 34 IPC	Beas, District Amritsar Rural

4. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in the case by



the complainant, after due deliberation, as there is an unexplained delay of seven months in lodging of the FIR. He contends that the petitioner is not having any criminal antecedents nor has he participated in the alleged occurrence. He submits that the petitioner is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the status report filed by State has assailed these arguments by submitting that there had been specific allegations against the petitioner of having caused injuries on the person of father of the complainant with *gandasi* blow, which was declared grievous in nature. He submits that custodial interrogation of the petitioner is required to recover the weapon of offence. Hence prayed for dismissal of the bail petition.

6. After considering the rival contentions and perusing the record, it is observed that the FIR was registered on the statement of complainant to the effect that on 07.10.2023 at about 05:30 PM, while he along with his father Chanchal Singh were going towards their fields, co-accused Karam Singh came there and raised a *lalkara*, upon which co-accused Tarsem Singh gave a blow of *datar* to him, which hit on left side of his head. Co-accused Kashmir Singh gave blow of *gandasi*, which hit on his head. Thereafter, co-accused Tarsem Singh again gave reverse blow of his *datar* on his left knee. When the father of the complainant came forward to rescue him, the petitioner-Harjinder Singh gave blow of *gandasi* on the head of Chanchal Singh. There are specific allegation against the petitioner of having given *gandasi* blow on the head of Chanchal Singh (father of the complainant),



which was found grievous in nature. Recovery of the weapon is yet to be effected from the petitioner, for which his custodial interrogation is required.

7. Therefore, considering the nature and gravity of offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequence, the petition is hereby dismissed.

8. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

29.01.2025

S.Sharma(syr)

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No